

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JUNE 9, 2014

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of June was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, June 9, 2014, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Attorney, the following members were present: Members Bernie Buehler, John Graf, Greg Husmann, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Attorney Skip Wieser. City Administrator Bill Waller was not present.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda, including additional bills, for this regular meeting:

- 1.1 MINUTES – MAY 27, 2014
- 1.2 BILLS PAYABLE THROUGH JUNE 5, 2014

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Buehler made a motion, seconded by Member Williams, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.1 – REVIEW PROCESS TO SELL/LEASE CITY PROPERTY

City Attorney Wieser reviewed with Council a Memorandum dated February 5, 2014, regarding sale of City owned property, a copy of the Veterans Park area outlining City owned parcels, and a Memorandum dated March 20, 2014, regarding review of comprehensive plan and park plan. Any changes to the comprehensive plan would require a 45-day notice to the planning commission for its review and findings to be sure new plans

are consistent with the approved comprehensive plan. That requirement can be bypassed by a super majority of the council. As for the park property and its surrounding area owned by the city, there are no deed restrictions, but Attorney Wieser is checking for any unrecorded restrictions on the Crestview addition, which requires going through meeting notes from 1973 and 1974. Following an extended discussion, no action was taken.

ITEM 3.2 – POLICE CHIEF HIRING PROCESS

City Council reviewed the revised job posting notice for the Police Chief's position reflecting the minimum requirements that were adopted at the last City Council Meeting. In order to proceed, it was recommended to Council to cancel the special City Council Meeting that was originally called for July 7, 2014, for conducting the interviews and to call for a special City Council Meeting on Monday, August 4, 2014, at 4:00 p.m., for the purpose of conducting interviews for the Police Chief's position. Following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO CANCEL THE SPECIAL CITY COUNCIL MEETING THAT WAS ORIGINALLY CALLED FOR JULY 7, 2014, FOR CONDUCTING THE INTERVIEWS FOR THE POLICE CHIEF POSITION.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graff	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Also, Member Buehler made a motion, seconded by Member Williams, as follows.

MOTION TO CALL FOR A SPECIAL CITY COUNCIL MEETING ON MONDAY, AUGUST 4, 2014, AT 4:00 P.M., FOR THE PURPOSE OF CONDUCTING INTERVIEWS FOR THE POLICE CHIEF'S POSITION.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graff	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.3 – SOUTH 14TH STREET PROJECT – NO PARKING RESOLUTION

As part of the South 14th Street improvement project, MnDOT is requiring that the City adopt a Resolution restricting parking on the street. City Council reviewed a copy of the required Resolution. MnDOT will not

allow the City to open bids on the project until the Resolution has been adopted. Following discussion, Member Williams introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 06-14-12

RESOLUTION RELATING TO PARKING RESTRICTIONS ON SOUTH SIDE OF SOUTH 14TH STREET FROM LANCER BOULEVARD TO MINNESOTA T.H. 16

WHEREAS, the City of La Crescent has found it necessary to restrict parking on the South side of South 14th Street from Lancer Boulevard to Minnesota T.H. 16 because of the width of the roadway and to remain in compliance with Municipal State Aid rules.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of La Crescent, Minnesota, that the City shall prohibit parking of motor vehicles on the South side of South 14th Street from Lancer Boulevard to Minnesota T.H. 16, at all times.

ADOPTED this 9th day of June 2014.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Graf and upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.4 – TENNIS COURT PROJECT BIDS RESULTS

City Attorney Wieser reviewed with City Council the two bids that were received for the tennis court improvement project. The first was from Pember Companies for \$448,027.55 and the second was from ICON for \$592,814.00. The engineer's estimate was \$295,000. It was recommended to Council to reject the bids and

have Council review alternatives, and present a revised recommendation at a future City Council Meeting. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO REJECT ALL BIDS RECEIVED FOR THE TENNIS COURT IMPROVEMENT PROJECT.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graff	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.5 – ORGANIZATIONAL STUDY PROPOSAL

City Council reviewed a proposal to conduct an organizational study for the City done by Flaherty & Hood. This study will be important as the City considers pending retirements, and restructures to move forward into the future. It was recommended to Council to accept the proposal, and amend the 2014 General Fund Budget to reflect the expenditure. There are funds in the City Councils discretionary fund for the majority of the costs associated with this expenditure. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO ACCEPT THE PROPOSAL FOR ORGANIZATIONAL STUDY BY FLAHERTY & HOOD, P.A. AT A COST OF \$3,500.00 AND TO AMEND THE 2014 GENERAL FUND BUDGET TO REFLECT THE EXPENDITURE.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graff	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.6 – ALL-HAZARD MITIGATION PLANNING GRANT

Houston County intends to apply for a grant to update the County's Hazard Mitigation Program. The County is requesting that the City Council approve their interest in participating in this planning process. There would be no cost to the City to participate in this program. It is recommended to Council to adopt the statement of interest in the planning process. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE STATEMENT OF INTEREST IN ALL-HAZARD MITIGATION PLANNING STATING THE CITY OF LA CRESCENT'S INTEREST IN PARTICIPATING IN THE MULTI-JURISDICTIONAL HOUSTON COUNTY ALL-HAZARD MITIGATION PLAN.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graff	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.7 – SUMMER FUN FEST – TEMPORARY LIQUOR LICENSE

Council reviewed an application from the Church of the Crucifixion for a temporary on-sale liquor license for the 2014 Summer Fun Fest to be held August 2 and 3, 2014. They also requested to waive bond and provided a Certificate of Insurance. City Administrator informed the Council that the application was in order. Following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE THE CHURCH OF THE CRUCIFIXION A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE 2014 SUMMER FUN FEST TO BE HELD AUGUST 2 AND AUGUST 3, 2014 AND AUTHORIZE THAT THE LICENSE APPLICATION BE SUBMITTED TO THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

As part of the Summer Fun Fest event, the Church of the Crucifixion also requested a temporary street closure to block a section of South 2nd Street from Oak to Elm Street and the alley between Oak and Elm and South 1st and 2nd Streets.

ITEM 3.8 – PERSONNEL COMMITTEE RECOMMENDATIONS

The Personnel Committee made the following recommendations to City Council:

1. Authorize to advertise for the vacancy in the Police Department that was created by the resignation of Kathryn Loken.

2. That effective June 1, 2014, move Chris Frick, a Police Officer with the City of La Crescent, from Step 1 to Step 3 in the union contract. This is based on his performance during his first six months of employment, and recognizes his previous law enforcement experience that was not accounted for when he was hired. Upon his successful completion of his one year probationary period, authorize that Chris Frick would move to Step 4 in the union contract.
3. Authorize that Tammy Ferrier's position in the License Bureau be increased from 20 hours per week to 32 hours per week. This is due to the increased volume of transactions within that department. In the first 4 months of 2013, the License Bureau fees collected were approximately \$34,400.00. During the first 4 months of 2014, the License Bureau fees collected have increased to approximately \$43,300.00. In addition, the added staffing will allow the License Bureau to open during the lunch hour, as it is presently closed from 1:00 – 2:00 in the afternoon.

Following discussion, the following Motions were made:

Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO AUTHORIZE TO ADVERTISE FOR THE VACANCY IN THE POLICE DEPARTMENT THAT WAS CREATED BY THE RESIGNATION OF KATHRYN LOKEN.

Upon a roll call vote taken and tallied by the City Attorney, the following Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE THAT EFFECTIVE JUNE 1, 2014, OFFICER CHRIS FRICK OF THE LA CRESCENT POLICE DEPARTMENT MOVE FROM STEP 1 TO STEP 3 IN THE UNION CONTRACT AND UPON OFFICER FRICK'S SUCCESSFUL COMPLETION OF HIS ONE YEAR PROBATIONARY PERIOD, AUTHORIZE THAT HE MOVE TO STEP 4 IN THE UNION CONTRACT.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member Buehler made a motion, seconded by Member Husmann, as follows:

AUTHORIZE THAT TAMMY FERRIER’S POSITION IN THE CITY OF LA CRESCENT LICENSE BUREAU BE INCREASED FROM 20 HOURS PER WEEK TO 32 HOURS PER WEEK DUE TO THE INCREASED VOLUME OF TRANSACTIONS WITHIN THAT DEPARTMENT.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.9 – MONTE CARLO ROAD UPDATE

City Attorney Wieser reviewed with Council the Amended Purchase Agreement regarding the acquisition of Monte Carlo Road, along with 3 Agreements with easement holders regarding acquiring releases of the easement rights. City Attorney Wieser discussed challenges that the easements present with intended use of the property. At this time, WHKS is recommending that the property be utilized for trail/recreation purposes only. Following discussion, Member Williams made a motion, seconded by Member Husmann to approve the Commercial Purchase Agreement for Monte Carlo Road, including Agreements to acquire the easements; to authorize City Administrator Waller and Mayor Poellinger to sign all documents regarding the acquisition; authorize that Mayor Poellinger and City Administrator Waller sign all documents regarding the release of the easements; and to authorize the City Administrator Waller and City Attorney Wieser to make minor or scrivener's changes without Council approval. Member Husmann then withdrew his second to this Motion. There was an extended discussion regarding the future use of the property. Following the extended discussion, Member Williams made a motion, seconded by Member Graf, as follows:

APPROVE THE COMMERCIAL PURCHASE AGREEMENT REGARDING THE ACQUISITION OF MONTE CARLO ROAD WITH THE FOUR (4) ITEMS IDENTIFIED BY THE CITY ATTORNEY.

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.10 – STREET CLOSURE REQUEST – SLICE OF LA CRESCENT

City Council reviewed a correspondence from the La Crescent Chamber of Commerce regarding their new event to be held on Saturday, June 28, 2014, entitled “The Amazing Slice of La Crescent.” The event is a

smaller scale scavenger hunt for teams of families and friends. The participants will be on sidewalks and some roadways as they move from site to site. The Chamber is requesting that a small portion of Walnut Street be closed to traffic for the morning from approximately 7:15 a.m. to 11:00 a.m. It would involve North Walnut Street from the corner of Main Street to the corner of North First Street. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE CLOSURE OF NORTH WALNUT STREET FROM THE CORNER OF MAIN STREET TO THE CORNER OF NORTH FIRST STREET FROM 7:15 A.M. TO 11:00 A.M. ON SATURDAY, JUNE 28, 2014 FOR THE LA CRESCENT CHAMBER OF COMMERCE EVENT “THE AMAZING SLICE OF LA CRESCENT.”

Upon a roll call vote taken and tallied by the City Attorney, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.11 – EMPLOYEE RECOGNITION

Member Buehler requested this item be added to the agenda to discuss the recognition of employees, upon retirement from the City of La Crescent. He recommended a Certificate of appreciation, with the number of years employed, be presented to employees who retire but not to spend public money for this recognition. It was the consensus of Council to develop a policy on employee recognition. No action taken.

ITEM 3.12 – PERSONNEL COMMITTEE APPOINTMENT

Member Buehler requested this item be added to the agenda to discuss the appointment of Personnel Committee Members. The Council By-Laws state that the Personnel Committee shall be appointed by the Council at the first regular Council Meeting in January each year. Member Buehler stated that was not done this year. City Administrator provided appointments made in January 2014 by Council. Following discussion, no action taken.

ITEM 8 – CHAMBER OF COMMERCE

No comments from the Chamber of Commerce.

There being no further business to come before the Council at this time, Member Graf made a motion, seconded by Member Williams, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Attorney, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:28 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator